

PROB 12C
(7/93)Report Filed April 5, 2010
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

United States District Court

for the

APR 05 2010

Eastern District of Washington

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Janette L. Selig

Case Number: 2:07CR02054-003

Address of Offender: :

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 2/7/2008

Original Offense: Conspiracy and Aiding and Abetting, 18 U.S.C. §§ 371 & 2

Original Sentence: Prison - 3 Months; TSR - 36 Months
Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 3/31/2009

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: 9/30/2011

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p><u>Mandatory Condition #2:</u> The defendant shall not commit another Federal, state, or local crime.</p> <p><u>Supporting Evidence:</u> Ms. Selig was cited for driving without a license on September 16, 2009. Ms. Selig indicates it will be dismissed once she enters the relicensing program. Contact with County Probation reveals Ms. Selig had not applied for the relicensing program as of September 29, 2009. Ultimately the matter was dismissed on October 12, 2009, as Ms. Selig entered the relicensing program.</p>
2	<p><u>Special Condition #18:</u> You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.</p> <p><u>Supporting Evidence:</u> Janette Selig failed to report for a random urinalysis test on June 24, 2009; September 9, 2009; September 22, 2009; October 13, 2009; and on March 9, 2010.</p>

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- 3 **Special Condition #18:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On September 10, 2009, Ms. Selig was directed to report to Merit Resource Services and provide a urinalysis sample. This specimen was found to be presumptive positive for amphetamine. On September 21, 2009, Merit Resource Services received data from the laboratory confirming Ms. Selig's sample was positive for amphetamine.

On September 29, 2009, Ms. Selig came to the U.S. Probation office as directed. She provided a random urine test that was very dark in color, had a foul odor, and was found not to be valid, as it did not trigger the temperature gauge, and the preliminary test kit did not register anything under the THC indicator. Ms. Selig was confronted on the color of the sample, and she stated she had a bladder problem. Approximately 30 minutes later Ms. Selig admitted to using methamphetamine on September 25, 2009, and signed an admission statement.

This officer had Ms. Selig provided a second urinalysis sample that was observed to be a light yellowish green color. This sample triggered the temperature monitor, indicating it was a valid test. The testing kit showed the sample was presumptive positive for amphetamine.

Both of the samples noted above were sealed and sent to the lab for further confirmation.

On October 7, 2009, Kroll Laboratory Specialists, INC., determined the first specimen was negative for any controlled substances. The second sample was found to be positive for amphetamine and methamphetamine.

- 4 **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated, enter into and successfully complete an approved substance abuse treatment program, including aftercare. You shall contribute to the cost of treatment according to your ability. You shall allow full reciprocal disclosure between the supervising probation officer and treatment provider.

Supporting Evidence: Ms. Selig began outpatient treatment at Merit Resource Services on November 13, 2009. She then missed the following individual or group sessions: November 24, 2009; December 1, 2009; December 15, 2009; December 29, 2009; January 8, 2010; January 12, 2010; January 19, 2010; February 19, 2010; March 2, 2010; March 5, 2010; March 19, 2010; and March 25, 2010. Ms. Selig was discharged from substance abuse treatment on March 26, 2010, due to her noncompliance.

Additionally, Ms. Selig was tasked with attending two AA/NA meetings a week and provide the treatment program with documentation verifying her attendance. Ms. Selig has failed to comply with this aspect of her treatment.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 04/05/2010

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other

s/ Fred Van Sickle

Signature of Judicial Officer

April 5, 2010

Date